

Applicant	Henry Geniale	
Request	Site Plan Approval / Waterway Use / Yard Modification	
Location	2765 N.E. 14 Street	
Legal Description	Coral Ridge P.B. 21, P. 50, Block 10, Lots 9-10	
Property Size	25,000 sq ft or 0.574 acres	
Zoning	RMM-25	
Existing Land Use	Apartments	
Future Land Use Designation	Medium-High Residential	
Comprehensive Plan Consistency	Consistent	
Other Required Approvals	None	
Applicable ULDR Sections	47-5 Residential 47-25.3 Neighborhood Compatibility 47-23.8 Waterway use 47-23.11 Modification of required yards 47-25.2 Adequacy 47-20 Parking 47-21 Landscaping	
Setbacks/Yards	Required & Min	Proposed
Front	½ the height or 26', 25' min	26'
Rear	½ the height or 26', 20' min	26'
Side (East)	½ the height or 26', 10' min	26'
Side (West)	½ the height or 26' 10' min	26'
Lot Density	0.574 X 25 = 14 Max.	10
Lot Size	5,000 sq. ft. Min.	25,000 sq. ft.
Lot Width	50'	200'
Building Height	55' Max	52'
Structure Length	200'	148'
Floor Area	400 sq. ft Min.	Over 400 sq ft
VUA Landscaping	20% Min.	Over 20%
Landscaping Lot Coverage	35% min	36%
Open Space	N/A	N/A
Parking	24	24
Notification Requirements	Sign Notice	
Action Required	Approve, Approve with Conditions, or Deny	
Project Planner	Name and Title	Initials
	Kevin Erwin, Planner I	
	Chris Barton, AICP, RLA, Principle Planner	
Authorized By	Bruce Chatterton, AICP, Planning and Zoning Services Manager	
Approved By		

Background:

This application was previously denied by the Planning and Zoning Board by a vote of 5-4 on April 23, 2003 based on concerns over compatibility with the surrounding neighborhood as applicable to this request in accordance with Sec.47-25.3 of the ULDR. The denial was appealed to the City Commission on July 1, 2003 meeting. At that meeting, the applicant offered revised plans that the Planning and Zoning Board had not reviewed. The City Commission voted to defer a decision on the appeal until the Planning and Zoning Board has reviewed the revised plans and a recommendation from the Board was received. Those plans are the subject of tonight's review. The City Commission will resume deliberation on the applicant's appeal at their September 3, 2003 meeting.

The revised plans differ from the original submittal as follows:

The overall height to the highest point of the building has been reduced from sixty-two (62) feet to fifty-five (55) feet. The height as measured as prescribed by the ULDR remains at fifty-two (52) feet.

The east and west facades of the 5th floor have been stepped back to distances ranging from 34 to 40 feet from the property lines at a height of 42 feet creating terraces for the two units proposed for the 5th floor. The portions of the facades below 42 feet in height remain at the required setbacks of 26 feet or one half the height of the building. The creation of the terraces has provided a more varied roofline on all facades.

The number of units has been reduced from 11 to 10 reducing the proposed density from 19.20 du/a to 17.45 du/a with up to a maximum of 14 units being permitted upon the site.

The reduction of units to 10 has reduced the parking requirement to 21 with 24 spaces still being provided.

Additional architectural features have been provided on the north façade to better screen the proposed parking garage area on the first level.

Request:

This request is for Waterway Use Approval (Section 47-23.8) and Modification of Yards (Section 47-23.11) for a proposed swimming pool in the required rear yard. This site abuts the Rio Encanardo Canal and must be reviewed as a waterway use. Waterway uses require Site Plan Level III review.

Property/Project Description:

The applicant is proposing to demolish two existing apartment buildings on a site that is zoned RMM-25 and which can accommodate up to fourteen (14) units at the permitted density. The proposed ten (10) dwelling units equal a density of seventeen and a half (17.5) units per acre, which is under the twenty-five (25) units permitted by the zoning district.

The applicant proposes to construct two (2) four (4) bedroom, six (6) three (3) bedroom, and two (2) two (2) bedroom condominium units in a single, five (5) level multifamily building. The proposed ten (10) unit building will replace two (2) multifamily, residential structures with eight (8) existing units currently on the property. The site is 25,000 S.F. (0.57 acres) in size with two-hundred (200) feet of existing seawall fronting on the Rio Encanardo Canal, which is one-hundred twenty-six (126) feet in width. The proposed five (5) level structure is fifty-two (52) feet in height which is within the maximum fifty-five (55) feet allowed in RMM-25 district. The structure will meet the required setback for all yards of twenty-six (26) feet or half the height of the building.

Pursuant to the Section 47-23.11, the Board may modify the required yards in RMM-25 when certain criteria are met. The required setback is based on one half the height of the structure and is twenty-six (26) feet. The building is setback twenty-six (26) feet at the first floor level and then steps back two (2) feet to twenty-eight (28) feet from the rear property line at the upper levels with a series of balconies that project three feet (3') into the required setback. The balconies on the front of the building also project three feet (3') into the required twenty-six (26) foot front yard setback. The ULDR allows for balcony encroachments of up to three feet (3') for up to 20% of the length of the façade, without approval by the Board. While the building structure meets the required setback, the proposed pool is located in the rear yard, and this requires a yard modification.

Yard Modifications:

Waterway uses require a twenty (20) foot landscaped yard adjacent to the bulkhead line. The yard shall not be used for any purpose other than landscaping unless specifically approved by the Planning and Zoning Board. The applicant is requesting to locate the swimming pool within the 20 foot yard, five (5) feet from the property line as shown on the plans. Swimming pools, when accessory to a multifamily use, are required to meet the setback required for the district, therefore the applicant is also requesting a yard modification to permit the proposed pool to be located within five (5) feet of the rear property line.

The applicant has indicated that the proposed boat slips are to be for the exclusive use of the upland owners, with no liveaboards permitted. The waterway is 126 feet wide at this point.

The applicant has provided a narrative outlining compliance with the criteria for yard modification. The narrative is attached to the plan sets.

The following chart summarizes the modifications being requested:

	<u>Required</u>	<u>Proposed</u>	<u>Modification</u>
Front	26'-0"	26'-0"	0'
Side 1 st floor	26'-0"	26'-0"	0'
2 nd to 5th flrs.	26'-0"	26'-0"	0'
Rear	26'-0"	26'-0"	0'
Pool	20'-0"	5'-0"	15'

The applicant states that this project meets the ULDR criteria for yard modifications. Specifically, that the proposal meets Section 47-23.11.A.3. in that there is continuity of architectural features and urban scale with adjacent properties and the development utilizes open terraces, changes in the building mass, balconies, variations in the rooflines, and other architectural features.

Adequacy and Neighborhood Compatibility:

The applicant has submitted a narrative outlining compliance with Section 47-25.2, Adequacy and Section 47-25.3, Neighborhood Compatibility as attached to the plan sets.

Parking and Traffic:

The parking requirement for this project is 21 spaces, with 24 spaces being provided. All but two (2) spaces are to be provided under the building, with those being provided outside the building envelope in the side yard setbacks. The increase from eight (8) existing to eleven (11) proposed residential units will generate a minimum number of new trips.

Comprehensive Plan Consistency:

The proposal is consistent with the density limits permitted in the Medium-High Residential land use category.

This proposal was reviewed by the Development Review Committee on January 14, 2003, and all issues have been addressed.

Waterway Use:

Pursuant to ULDR Section 47-23.8 Waterway use, the applicant states that this request meets the following criteria:

- A) **Buildings and land uses on parcels abutting waterways in nonresidential districts and in multifamily districts shall be designed to preserve the character of the city and neighborhood in which they are located, harmonize with other development in the area, and protect and enhance the scenic quality and tranquility of the waterways.** The proposed building is compatible with other recent projects in the area with respect to building massing, setbacks, landscaping and design character.

- B) **1. A twenty foot landscaped yard is required adjacent to the existing bulkhead line. The required yard shall not be used or developed for any purpose other than landscaping and the minimum amount of driveways or walkways reasonably necessary to serve permitted nonresidential or multifamily waterfront uses, unless specifically approved by the Planning and Zoning Board.** The proposed pool location fulfills the design intent in terms of amenities, privacy and relationship with the waterfront activity, as well as being compatible with the neighborhood.

2. Review of Neighborhood Compatibility, Scale, Bulk and Mass, as provided in Sec. 47-25.3.A.3.e.i. The proposed building is designed and oriented so its entryway, parking area, landscape areas, and building mass design blends with the surrounding area.

Modification of Required Yards:

Pursuant to ULDR Sec. 47-23.11, Modification of required yards, this request meets the following criteria:

- A.3.c. **There is continuity of architectural features with adjacent properties. Architectural features include but are not limited to those listed in subsection A.3.e.** The proposed building has a continuity of architectural features similar to the adjacent buildings, including, but not limited to massing changes, step backs, variation of rooflines, terraces and balconies, inclusion of cantilevered elements, and color and material banding throughout the facades.
- A.3.d. **There is continuity of urban scale with adjacent properties. Urban scale includes height, proximity to street front and relationship of building size to the lot size.** This project is comparable in scale to other properties within the area.
- A.3.e. **In addition to the reduction in minimum yards meeting subsections A.3.a and b or subsections A.3.c and d, the development includes a minimum of four (4) of the following architectural features: Terracing; variation in rooflines; cantilevering; angling; balconies; arcades; uniform cornice heights; color and material banding; building mass changes; courtyards; plazas and landscaped areas which encourage pedestrian interaction between the development site and a public street.** The project meets five (5) of the required architectural features as follows: variation in roofline, cantilevering, uniform cornice heights, color and material banding, and balconies.

In addition to subsection A.1, 2, or 3 the following shall be met:

- A.4.a **The applicable minimums pertaining to all other zoning requirements applicable to the development are met.** The proposed plan meets all other applicable requirements.

Staff Determination:

In the review of compatibility, staff considers the architectural features, height, mass and scale, site arrangement and the overall character of the surrounding neighborhood.

Staff has determined that the height of the proposed structure exceeds that of any existing structures within the neighborhood. Several existing multifamily structures do however have an overall mass that is similar to that of the proposed structure. While the architectural appearance is attractive, it is of a style that is not now well represented within the neighborhood and it incorporates several vertical design elements, primarily on the front or south façade, that emphasize the height of the structure. The density and the setbacks of the proposed structure are consistent with those of other structures within the neighborhood. The overall neighborhood is comprised of a wide range of building sizes, architectural style and site arrangements including a mix of single and two family structures of one or two stories with multifamily structures of 2 to 4 stories, as it has evolved over the past fifty years.

Should the Board approve the proposed development, the following conditions are proposed by staff:

1. The proposed development is in an area that has the potential to generate impacts from construction debris due to high winds and close proximity to existing uses. As such, in order to ensure that construction debris remains on site and does not become a nuisance to neighboring properties, prior to application for a building permit, a Construction Debris Mitigation Plan shall be submitted to include but not be limited to the requirements of the Construction Debris Mitigation Policy as attached, and as approved by the City's Building Official.
2. All construction will require approval from all pertinent environmental review agencies.
3. Site plan approval shall be valid as provided in ULDR Section 47-24.1.M.
4. Final DRC approval.

Planning and Zoning Board Review Options:

1. If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for Site Plan Level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development.
2. If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the Site Plan Level III permit.